

DEC 13 2005

PTO/SB/30(09-04)

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Patent and Trademark Office: U.S. DEPARTMENT OF COMMERCE

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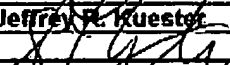
REQUEST FOR CONTINUED EXAMINATION (RCE) TRANSMITTAL Address to: Mail Stop RCE Commissioner for Patents P.O. Box 1450 Alexandria, VA 22313-1450	Application Number	10/098,698
	Filing Date	March 15, 2002
	First Named Inventor	Jordan
	Group Art Unit	2686
	Examiner Name	Daniel Jr., Willie J.
	Attorney Docket Number	190252-1850


This is a Request for Continued Examination (RCE) under 37 C.F.R. §1.114 of the above-identified application.

Request for Continued Examination (RCE) practice under 37 CFR 1.114 does not apply to any utility or plant application filed prior to June 8, 1995, or to any design application. See Instruction Sheet for RCE's (not to be submitted to the USPTO) on page 2.

1. **Submission required under 37 CFR 1.114** Note: If the RCE is proper, any previously filed unentered amendments and amendments enclosed with the RCE will be entered in the order in which they were filed unless applicant instructs otherwise. If applicant does not wish to have any previously filed unentered amendment(s) entered, applicant must request non-entry of such amendment(s).
- a. ☐ Previously Submitted. If a final Office action is outstanding, any amendments filed after the final Office action may be considered as a submission even if this box is not checked.
- i. ☐ Consider the amendment(s) reply under 37 CFR 1.116 previously filed on
- ii. ☐ Other:
- b. ☒ Enclosed
- i. ☒ Amendment/Reply
- ii. ☐ Affidavit(s)/Declaration(s)
- iii. ☐ Information Disclosure Statement (IDS)
- iv. ☐ Other:
2. **Miscellaneous**
- a. ☐ Suspension of action on the above-identified application is requested under 37 CFR 1.103(c) for a period of _____ months. (Period of suspension shall not exceed 3 months; Fee under 37 CFR 1.17(i) required).
- b. ☐ Other:
3. **Fees** The RCE fee under 37 CFR 1.17(e) is required by 37 CFR 1.114 when the RCE is filed.
- a. ☐ The Director is hereby authorized to charge the following fees, or credit any overpayments to Deposit Account No.
- i. ☒ RCE fee required under 37 CFR 1.17(e)
- ii. ☐ Extension of time fee (37 CFR 1.136 and 1.17)
- iii. ☐ Other:
- b. ☐ Check in the amount of \$ _____ enclosed.
- c. ☒ Payment by credit card (Form PTO-2038 enclosed)

WARNING: Information on this form may become public. Credit card information should not be included on this form. Provide credit card information and authorization on PTO-2038

SIGNATURE OF APPLICANT, ATTORNEY, OR AGENT REQUIRED			
Name (Print Type)	Jeffrey R. Kuester	Registration No. (Attorney/Agent)	34,367
Signature		Date	9-7-05

CERTIFICATE OF MAILING OR TRANSMISSION			
I hereby certify that this correspondence is being deposited with the United States Postal Service with sufficient postage as first class mail in an envelope addressed to: Mail Stop RCE, Commissioner For Patents, P.O. Box 1450, Alexandria, VA 22313-1450, or facsimile transmitted to the U.S. Patent and Trademark Office on the date shown below.			
Name (Print/Type)	Jeffrey R. Kuester	Date	9-7-05
Signature			

This collection of information is required by 37 CFR 1.114. This information is required to obtain or retain a benefit by the public which is to file (and by the USPTO to process) an application. Confidentiality is governed by 35 U.S.C. 122 and 37 CFR 1.14. This collection is estimated to take 12 minutes to complete, including gathering, preparing, and submitting the completed application form to the USPTO. Time will vary depending on the individual case. Any comments on the amount of time you require to complete this form and/or suggestions for reducing this burden should be sent to the Chief Information Officer, U.S. Patent and Trademark Office, U.S. Department of Commerce, P.O. Box 1455, Alexandria, VA 22313-1450. DO NOT SEND FEES OR COMPLETED FORMS TO THIS ADDRESS. SEND TO: Mail Stop RCE, Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450.

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DEC 13 2005

IN THE UNITED STATES
PATENT AND TRADEMARK OFFICE

Patent Application

Inventor(s): **Jordan**

Confirmation No.: 5128

Serial No. **10/098,698**Group Art Unit: **2686**Filing Date: **March 15, 2002**Examiner: **Daniel J., Willie J.**Title: **Local Point of Presence**

Docket No.: 190252-1850

Mail Stop RCE
Commissioner for Patents
P.O. Box 1450
Alexandria, Virginia 22313-1450

Sir:

RESUBMISSION OF REQUEST FOR CONTINUED EXAMINATION

On September 7, 2005, Applicant submitted a Request for Continued Examination (RCE) that inadvertently included a misdirected Amendment. Please find enclosed herewith a copy of that mailing, with the misdirected Amendment replaced with a correct Amendment. In addition, please find enclosed herewith a copy of the returned postcard. Applicant further submits that the referenced credit card account was charged for the previously filed RCE. Of course, Applicant was clearly making a good faith submission, despite the inclusion of a misdirected Amendment. If the original mailing should be located, Applicant requests that the misdirected Amendment be disregarded.

AUTHORIZATION TO DEBIT ACCOUNT

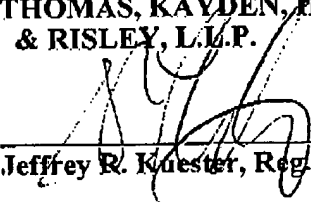
It is believed that no extensions of time or fees for net addition of claims are required, beyond those which may otherwise be provided for in documents accompanying this paper.

However, in the event that additional extensions of time are necessary to allow consideration of this paper, such extensions are hereby petitioned under 37 C.F.R. § 1.136(a), and any fees required therefor (including fees for net addition of claims) are hereby authorized to be charged to deposit account No. 20-0778.

Respectfully Submitted,

**THOMAS, KAYDEN, HORSTEMEYER
& RISLEY, L.L.P.**

By:


Jeffrey R. Kuester, Reg. No. 34,367

Thomas, Kayden, Horstemeier & Risley
100 Galleria Pkwy, Suite 1750
Atlanta, GA 30339
770-933-9500
Customer No.: 38823

Serial No. 10/098,688
 Patent No.
 Applicant: Jordan
 Title: Local Point of Presence
 Docket No. 190252-1850
 LM No.

Filed: March 15, 2002

Issued:

CIM Date:

Due Date: July 7, 2005

**PATENT AND TRADEMARK OFFICE
 STAMP HEREON ACKNOWLEDGES
 RECEIPT OF THE BELOW IDENTIFIED
 PAPERS:**

Cert. of Mailing: ☐ Regular US Mail
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☒ Fee Transmittal Page

- ☒ RCE Application Transmittal Pg.
- ☐ Missing Parts Response
- ☐ Copy of Missing Parts Notice
- ☐ Resp. Incomplete Application Papers
- ☐ Copy - Not. Incomplete Appl. Papers
- ☐ Declaration & Power of Attorney
- ☐ Preliminary Amendment
- ☐ Small Entity Status Claimed
- ☐ IDS/Form 1449
- ☐ Cited Reference(s) ()
- ☐ Assignment/Assign't Cover Sheet
- ☐ Terminal Disclaimer
- ☒ Amendment Transmittal Page
- ☒ Amendment:
 - ☐ Non-Final ☒ Final
 - ☐ After Not. Allow ☐ Unentered
- ☒ Petition for Extension of Time
 to: September 7, 2005
- ☐ Claim of Priority & Sub. Cert. Copy
 of Foreign Application
- ☐ Other:

Person Mailing: JRK/SHB

Responsible Atty: JRK/BAB

USPTO STAMP



- ☐ Request to Rescind Non-Pub.
- ☐ Petition to Make Special
- ☐ Status Inquiry (in duplicate)
- ☐ Notice of Appeal
- ☐ Appeal Brief (in Triplicate)
- ☐ Request for Refund
- ☐ Request for Correction F/R
- ☐ Notice of Continuation Applic.
- ☐ Issue Fee Trx. ☐ In Dupl.
- ☐ Sheets of Drawings
 - ☐ Formal ☐ Informal
- ☐ Letter/Trx. To Draftsman
- ☐ Prior to NOA ☐ W/ NOA
- ☐ Request for Cert. Of Correct.
- ☐ Certificate of Correction x 2
- ☐ Maintenance Fee Transmittal
 - ☐ 3.5 ☐ 7.5 ☐ 11.5
 - ☐ in duplicate

DOCKETED

Serial No.: 10/098,698

Filed: March 15, 2002

Patent No.:

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Applicant: Jordan

Title: Local Point of Presence

Docket No.: 190252-1850

C/M Date: 9-7-05

EM No.:

Due Date: July 7, 2005

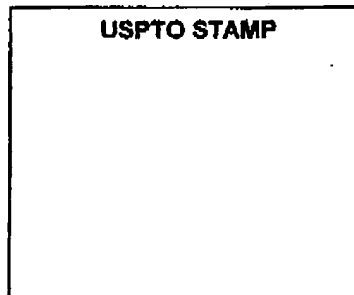
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Fees ☒ \$1,240.00
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☒ Fee Transmittal Page

- ☒ RCE Application Transmittal Pg.
- ☐ Missing Parts Response
- ☐ Copy of Missing Parts Notice
- ☐ Resp. Incomplete Application Papers
- ☐ Copy - Not. Incomplete Appl. Papers
- ☐ Declaration & Power of Attorney
- ☐ Preliminary Amendment
- ☐ Small Entity Status Claimed
- ☐ IDS/Form 1449
- ☐ Cited Reference(s) ()
- ☐ Assignment/Assign't Cover Sheet
- ☐ Terminal Disclaimer
- ☒ Amendment Transmittal Page
- ☒ Amendment:
 - ☐ Non-Final ☒ Final
 - ☐ After Not. Allow ☐ Unentered
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to: September 7, 2005
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Person Mailing: JRK/SHB

Responsible Atty: JRK/BAB

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